

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CRIMINAL CASE NO. 3:07cr236

UNITED STATES OF AMERICA,)	
)	
v.)	PRELIMINARY ORDER
)	OF FORFEITURE
SIR MARQUIS BATTLE.)	

In the Bill of Indictment in this case, the United States sought forfeiture of property of the defendant pursuant to 18 U.S.C. §924(d) as property that was used in violation of the crime charged in Count One.

Defendant subsequently pled guilty to Count One and was adjudged guilty of the offense charged in that count. The government has moved for a preliminary order of forfeiture based on the record, including the defendant's admissions by his plea.

It is therefore ORDERED:

1. Based upon defendant's plea of guilty, the United States is authorized to seize the following property belonging to defendant, and it is hereby forfeited to the United States for disposition according to law, subject to the provisions of 21 U.S.C. §853(n): a .40 caliber Glock

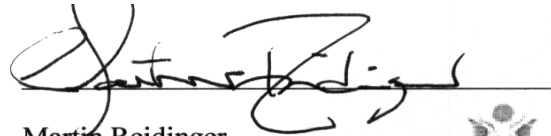
handgun, Norinco SKS assault rifle, and a Romarm WASR-10 assault rifle, and ammunition seized on or about July 5, 2007.

2. Pursuant to 21 U.S.C. §853(n)(1), the government shall publish as required by law notice of this order and notice that any person, other than the defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and the relief sought. The United States may, as permitted by law and to the extent practicable, provide direct written notice to any person known to have alleged an interest in property that is the subject of this order of forfeiture, as a substitute for published notice.

3. Upon adjudication of all third-party interests, this Court will enter a final order and judgment of forfeiture pursuant to 21 U.S.C. §853(n).

IT IS SO ORDERED.

Signed: June 30, 2008


Martin Reidinger
United States District Judge

